

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jonathan M. J. Derry, William C.

Docket No. 3198

Fanslow III and William C. Dougall

Serial No.: 09/851,673

Art Unit: 1631

Filing Date: May 8, 2001

Examiner: Smith, C.L.

For: METHODS FOR IDENTIFYING COMPOUNDS THAT ANTAGONIZE
CD40 SIGNALING (as amended)

RECEIVED

MAY 20 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please find enclosed the following documents for the above-referenced patent application:

1. Postcard
2. Response to Notice of Non-Compliant Amendment (Voluntary Revised Practice)
3. Replacement Response to Office Action and Amendment A
4. Copy of Notice of Non-Compliant Amendment (Voluntary Revised Practice)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Signed:

Elizabeth M. McCarthy
Elizabeth M. McCarthy

Date:

May 16, 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

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Paper No.

Notice of Non-Compliant Amendment (Voluntary Revised Practice)

The amendment filed 04/21/03 under the voluntary revised amendment practice guidelines¹, published in the Official Gazette on February 25, 2003 (*Amendments in a Revised Format Now Permitted*, 1267 Off. Gazette 106), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

- ☒ 1. A complete listing of all of the claims is not present in the amendment paper.
- ☐ 2. The listing of claims does not include the text of all claims currently under examination.
- ☐ 3. The claims of this amendment paper have not been presented in ascending numerical order.
- ☒ 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.
- ☐ 5. Other: _____

LIE: Check one of the following boxes:

- ☐ **PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

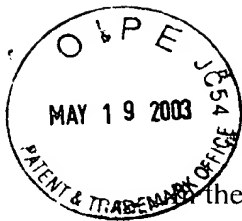
[Signed by Team Leader]

Team Leader

[Signature]

¹ For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at:
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf> and
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtpac.pdf>

March 26, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the Application of: Jonathan M. J. Derry, William
C. Fanslow III and William C. Dougall

Docket No.: 3198

Group Art Unit: 1631

Examiner: Smith, C.L.

Serial No: 09/851,673

Filed: May 8, 2001

For: METHODS FOR IDENTIFYING COMPOUNDS THAT ANTAGONIZE
CD40 SIGNALING (as amended)

#1515
Plunkett
5/27/03
RECEIVED

Mail Stop Non-Fee Amendment
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
(VOLUNTARY REVISED PRACTICE)**

Sir:

Please find enclosed a replacement Response to Office Action and Amendment A which was filed on April 15, 2003, pursuant to the Office communication, Notice of Non-Compliant Amendment (Voluntary Revised Practice) dated April 29, 2003, a copy of which is enclosed, for the above-referenced application.

Claim 1 and claims 3 through 24 are now in compliance. A complete listing of all the claims is present in the replacement Response. Each claim has been provided with a status identifier, according to the *Amendments in a Revised Format Now Permitted*, as published in the Official Gazette on February 24, 2003. Applicants respectfully request the replacement Response to Office Action and Amendment be entered.

Applicants believe no fees are due at this time, however the Commissioner is authorized to charge any necessary fee, or to credit any overpayment, to Deposit Account No. 09-0089.

Immunex Corporation
Law Department
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Seattle, Washington 98101
Telephone: (206) 587-0430

Respectfully submitted,

Patricia Anne Perkins
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